

ENVIRONMENTAL

No. 68143-E

AMENDED ENVIRONMENTAL APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office OCT 25 2001
Returned to applicant for correction NOV 14 2001
Corrected application filed DEC 17 2001
Map filed DEC 17 2001

The applicant **Kerr-McGee Chemical LLC** hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **underground water**
2. The amount of water applied for is **one second-feet**
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **other environmental control purposes**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated
 - (b) Stockwater, state number and kinds of animals to be watered
 - (c) Other use (describe fully under No. 12. "Remarks") **See response to 12.**
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **Five points of diversion situate the SW¼ SE¼, Section 36, T21S, R62E, MDM, Clark County, NV, which bear from the SE corner of said Section 36 as follows: (ART-1) N 85° 57' 10" W, 1906.70 ft; (ART-2) N 87° 03' 11" W, 1816.54 ft; (PL.70) N 86° 55' 34" W, 1741.65 ft; (ART-3) N 86° 47' 17" W, 1666.76 ft; and (ART 4) N 86° 38' 12" W, 1591.88 ft.**
6. Place of Use **Place of Use: NE¼ of SW¼ of Section 12, T22S, R62E, MDM, Clark County, Nevada**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **5 wells (location indicated on the accompanying map) pumping through lines to a water quality improvement facility.**
9. Estimated cost of works **2 million**
10. Estimated time required to construct works **2 months**
11. Estimated time required to complete the application of water to beneficial use **duration of remediation**

12. Remarks: As required by the Nevada Division of Environmental Protection in an Administrative Order on Consent, water will be collected and transported to a treatment works for quality improvement. Once treated it will then be returned to the Las Vegas Wash under the authority of NDEP and an NPDES Discharge Permit NV 0023060

By s/Frederick R. Stater
P O Box 55
Henderson, NV 89009

Compared my/ cam ds/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This environmental permit is issued subject to existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance for pollution control as mandated by orders issued by the Nevada Division of Environmental Protection and subsequent correspondence with said agency. The right will cease to exist upon termination of clean up activity as determined by the Nevada Division of Environmental Protection. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and records of this measurement shall be submitted on an annual basis. It is also understood that this right must allow for a reasonable lowering of the static water level of permittee's well due to other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of water granted herein at any and all times.

This environmental permit is issued pursuant to the provisions of NRS 533.4375. Well drillers reports for any well(s) drilled under this permit shall be filed within 30 days from the completion of the well.

Within 30 days after the completion of the project, the permittee shall notify the State Engineer of such completion and all wells shall be plugged and abandoned in accordance with Chapter 534 of the Nevada Administrative Code.

This environmental permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this environmental permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second, but not to exceed 723.97 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Water must be placed to beneficial use on or before:

Proof of the application of water to beneficial use shall be filed on or before:

Map in support of proof of beneficial use shall be filed on or before:

ENVIRONMENTAL

* The right will cease to exist upon termination of clean up activity as determined by the Nevada Division of Environmental Protection.

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office

this 30th day of January, A.D. 2002


State Engineer

Completion of work filed _____
Proof of beneficial use filed _____
Cultural map filed _____
Certificate No. Issued _____

